

### **Remarks**

The application has been reviewed in light of the Office Action dated December 15, 2004. Claims 1-9 are pending in this application. Claim 1 has been amended by the foregoing amendments. Applicant submits that no new matter was added by the amendments. Supports for the amendments are found from the application originally filed. For example, please refer to Fig. 2a and 4 along with associated descriptions. Favorable reconsideration is earnestly requested in view of the foregoing amendments and the following remarks.

The Examiner has rejected claims 1-9 under 35 U.S.C. 102(b) as being anticipated by LeMarie, III et al. (U.S. Patent No. 5,366,477).

Independent claim 1, as amended, requires that the tool mounted on the distal end of the shaft can be detachably secured on the activation rod by means of a tool shaft for being activated by the handle, wherein for forming this detachable connection the tool shaft and the activation rod have protuberances and/or recesses, which can be joined in a form-locking connection, at least partially with corresponding recesses or protuberances of the other respective component. Furthermore it is required that the corresponding recesses and protuberances are configured in such a way that the tool and the activation rod can be brought into engagement with one another by means of a movement exclusively in one direction essentially perpendicular to the longitudinal axis of the activation rod, and the components coupled to one another are fixed relative to one another in the other directions.

The amendment that the components coupled to one another are fixed relative to one another in the other directions enables the user to have a more or less function-

able instrument after bringing the components into engagement with one another by means of a movement exclusively in a direction essentially perpendicular to the longitudinal axis of the activation rod because the components are fixed in all other directions except the direction of assembly.

LeMarie, III et al. discloses a medical instrument with a shaft, a handle mounted on the proximal end of the shaft, and a tool mounted on the distal end of the shaft. For activating the tool via the handle, both components are connected to one another by means of an activation rod. Furthermore, the tool can be secured detachably on the activation rod by means of a tool shaft, for which purpose the tool shaft and the activation rod have protuberances and/or recesses, which can be joined in a form-locking connection, at least partially with corresponding recesses or protuberances of the other respective component.

In the LeMarie reference there is no disclosure, teaching or suggestion that the recesses and protuberances corresponding to one another are configured in such a way that the tool and the activation rod can be brought into engagement with one another by means of a movement exclusively in a direction essentially perpendicular to the longitudinal axis of the activation rod. Contrary to the Examiner's statement in the Office Action, figure 12 and the respective description in column 9 (lines 39-42) discloses that the shown link assembly is assembled and disassembled in a bayonet-type fashion by sloping and twisting a cavity of the tool shaft so that the activation rod, must be rotated ninety degrees during insertion and removal.

However, even if figure 12 of the LeMarie reference did show a link assembly, as suggested by the Examiner, with the tool and the activation rod being brought into engagement with one another by means of a movement exclusively in a direction essentially perpendicular to the longitudinal axis of the activation rod, this known arrange-

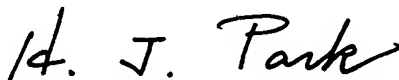
ment would not show that the components coupled to one another are fixed relative to one another in the other directions.

Accordingly, Applicant respectfully submits that Claim 1 as amended, is patentable over this cited reference. Applicant respectfully submits that the rejection over LeMarie is overcome.

Claims 2-9 depend from claim 1, and are patentable at least for the reason that claim 1 is patentable as discussed above.

Accordingly, in view of the foregoing reasons, Applicant respectfully submits that all pending claims, namely claims 1-9, are in condition for allowance. Early notice to that effect is respectfully requested.

Respectfully submitted,



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